

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

J.U.,

Plaintiff,

v.

HUSH WORLDWIDE LLC, et al.,

Defendants.

No. 2:25-CV-1074-DMC

**ORDER**

Plaintiff, who is proceeding with retained counsel, brings this civil action.

Plaintiff initiated this action with a complaint filed on April 10, 2025. See ECF No. 1. Pursuant to Appendix A to the Court's local rules, this matter has not been assigned to a District Judge. On April 11, 2025, the Court issued an initial scheduling order for cases assigned to a Magistrate Judge only under Appendix A. See ECF No. 4. In that order, the Court advised the parties of the availability of consent to a Magistrate Judge for all purposes, including entry of final judgment, and directed the parties to submit consent election forms within 90 days after the date the action was filed. See id. at 1-2. The order further provided: "Because a consent designation assists the court in determining how the action would be administratively processed, the parties are instructed to make their election promptly and notify the Clerk of the Court as soon as

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practicable.” Id. at 1. The parties were cautioned as follows:

. . .The parties are strongly encouraged to submit their consent forms before the filing of any motion, so the motion can be noticed before the proper judge. Failure to do so may result in the court vacating a hearing or declining to resolve the motion until all consent designations have been submitted.

Id. at 2.

Here, before any party submitted a consent election form, Defendants Drip Drop Distro LLC and Bedrock Mfg. LLC filed a motion to dismiss, which was noticed for hearing before the undersigned in Redding, California, on July 30, 2025, at 10:00 a.m. See ECF No. 10. The motion is fully briefed. See ECF Nos. 11 (opposition) and 14 (reply). More than 90 days have passed since the action was initiated on April 10, 2025, and, to date, no party has informed the Court regarding consent to proceed before a Magistrate Judge. The Court will, therefore, consistent with the April 11, 2025, order, vacate the July 30, 2025, hearing. Defendants’ motion to dismiss will not be resolved until such time as the parties submit their consent election forms. The parties will also be directed to show cause why appropriate sanctions should not be imposed for failure to comply with the Court’s order.

Accordingly, IT IS HEREBY ORDERED as follows:

1. The hearing set before the undersigned on July 30, 2025, is VACATED.
2. Defendants’ pending motion to dismiss, ECF No. 10, will not be resolved until such time as the parties all submit their consent election forms.
3. The parties are each directed to show cause in writing within 30 days of the date of this order why sanctions should not be imposed for failure to comply with the Court’s April 11, 2025, order.

Dated: July 24, 2025



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE